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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/751,138

12/29/2000

Markku Verkama

59643.00114

9196

32294

7590

10/08/2008

SQUIRE, SANDERS & DEMPSEY L.L.P.

8000 TOWERS CRESCENT DRIVE

14TH FLOOR

VIENNA, VA 22182-6212

EXAMINER

ELISCA, PIERRE E

ART UNIT

PAPER NUMBER

3621

MAIL DATE

DELIVERY MODE

10/08/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 09/751,138	<b>Applicant(s)</b> VERKAMA, MARKKU	
	<b>Examiner</b> Pierre E. Elisca	<b>Art Unit</b> 3621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 18 September 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-13, 17-20, 22-24 and 27-30 is/are allowed.
- 6) ☒ Claim(s) 14-16, 21, 25, 26, and 31-35 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

**DETAILED ACTION**

1. This communication is in response to Applicant's response filed on 09/18/2008.
2. Claims 1-35 are currently pending.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 14-16, 21, 25, 26, and 31-35 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Scott Robert et al (U.S. Pat. No. 5,311,596) in view of Bisbee et al US PG Pub 2004/0093493 A1.

As per claims 14-16, 21, 25, 26, and 31-35 Scott substantially discloses a re-authentication procedure between the modems of a public switched telephone network (or telecommunication network) data connection, which is between a computer facility and a user, the method comprising of:

Receiving a set of challenges from a telecommunications networks, choosing one challenge from the set of challenges, determining a response and a key based on the chosen challenge, determining an authenticator based on the key corresponding to the chosen challenge, and transmitting said authenticator and a data unit to the

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telecommunications network, said data unit relating to the manner in which the authenticator is formed, and notifying the telecommunications network of the chosen challenge (see., abstract, col 1-col 8).

It is to be noted that Scott does not explicitly disclose the limitation of authenticating data block. However, Bisbee discloses an authentication certificate to the form a signature block (see., paragraph 0062, abstract).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teaching of Scott by including the limitation detailed above as taught by Bisbee because this would allow secure and efficient authenticated access and updating of subscriber data.

5. Claims 14-16, 21, 25, 26, and 31-35 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Fox et al (US PG Pub 20020069174) in view of of Bisbee et al US PG Pub 2004/0093493 A1.

As per claims 14-16, 21, 25, 26, and 31-35 Fox substantially discloses a method for facilitating electronic commerce transactions between trading partners on an unsecure network such as local area network or wide area, the method comprising of:

Receiving a set of challenges from a telecommunications networks (or local or wide area network), choosing one challenge from the set of challenges, determining a response and a key based on the chosen challenge, determining an authenticator based on the key corresponding to the chosen challenge, and transmitting said authenticator and a data unit to the telecommunications network, said data unit relating

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to the manner in which the authenticator is formed, and notifying the telecommunications network of the chosen challenge (see., abstract, page 1-page 8).

It is to be noted that Fox does not explicitly disclose the limitation of authenticating data block. Bisbee discloses an authentication certificate to the form a signature block (see., paragraph 0062, abstract).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teaching of Fox by including the limitation detailed above as taught by Bisbee because this would allow secure and efficient authenticated access and updating of subscriber data.

### ***Allowable Subject Matter***

6. Claims 1-13, 17-20, 22, 23, 24, and 27-30 are allowed over the prior art of record.

### ***Conclusion***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pierre E. Elisca whose telephone number is 571 272 6706. The examiner can normally be reached on 6:30 to 5:00. Hotel.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Fischer can be reached on 571 272 6779. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/ Pierre E. Elisca/  
Primary Examiner, Art Unit 3621